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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No: 2:23-cv-00320-JAM-CKD
)	
Plaintiff,)	STIPULATION AND ORDER TO ENTER
)	CONSENT ORDER BETWEEN THE
vs.)	UNITED STATES AND NANCY
)	CANALE, AS TRUSTEE OF THE
)	BERNARD CANALE AND NANCY
)	CANALE 1998 REVOCABLE TRUST,
JOEL LYNN NOLEN; SHIRLEE NOLEN;)	AND BERNARD CANALE, BY AND
NOLEN PROPERTIES, LLC; NANCY)	THROUGH HIS SUCCESSOR IN
CANALE, as trustee of the Bernard Canale)	INTEREST NANCY CANALE
and Nancy Canale 1998 Revocable Trust; and)	
BERNARD CANALE, by and through his)	
successor in interest NANCY CANALE.)	
)	
Defendants.)	
)	

STIPULATION AND ORDER TO ENTER CONSENT ORDER BETWEEN THE UNITED STATES AND NANCY CANALE, AS TRUSTEE OF THE BERNARD CANALE AND NANCY CANALE 1998 REVOCABLE TRUST, AND BERNARD CANALE, BY AND THROUGH HIS SUCCESSOR IN INTEREST NANCY CANALE

Pursuant to Local Rule 143(a)(1), it is hereby stipulated by and between Plaintiff United States of America (“United States”) and Defendants Nancy Canale, as trustee of the Bernard Canale and Nancy Canale 1998 Revocable Trust, and Defendant Bernard Canale, by and through his successor in interest Nancy Canale (collectively, the “Canale Defendants), as follows:

1. On April 6, 2023, the United States filed the Amended Complaint in the above-captioned case, which added the Canale Defendants as defendants in the case.

2. The United States and the Canale Defendants have engaged in discovery regarding the facts of the case.

3. Following the exchange of discovery, the United States and the Canale Defendants pursued negotiations to resolve the United States’ claims against the Canale Defendants in this matter.

4. The United States and the Canale Defendants now jointly agree and hereby stipulate to entry of the Consent Order, attached as Exhibit A, as a final settlement of the United States’ claims against the Canale Defendants in this litigation, pursuant to Court approval. The Consent Order does not resolve any of the United States’ claims against Defendants Joel Lynn Nolen, Shirlee Nolen, or Nolen Properties, LLC.

5. The United States and the Canale Defendants agree that the Consent Order is fair, reasonable, adequate, and consistent with the public interest.

6. The United States and the Canale Defendants respectfully request that the Court approve and enter the attached Consent Order.

Dated this 19th day of September, 2024.

Respectfully submitted,

For the United States:

PHILLIP A. TALBERT
United States Attorney
Eastern District of California

KRISTEN CLARKE
Assistant Attorney General
Civil Rights Division

STIPULATION AND ORDER TO ENTER CONSENT ORDER BETWEEN THE UNITED STATES AND NANCY CANALE, AS TRUSTEE OF THE BERNARD CANALE AND NANCY CANALE 1998 REVOCABLE TRUST, AND BERNARD CANALE, BY AND THROUGH HIS SUCCESSOR IN INTEREST NANCY CANALE

/s/ Emilia P.E. Morris
EMILIA P. E. MORRIS
Assistant United States Attorney

/s/ Arielle R.L. Reid
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For NANCY CANALE, as trustee of the Bernard Canale and Nancy Canale 1998 Revocable Trust; and BERNARD CANALE, by and through his successor in interest NANCY CANALE:

JACOBS, ANDERSON, POTTER,
HARVEY & CECIL, LLP

/s/ Andrea M. Wieder
Andrea M. Wieder

STIPULATION AND ORDER TO ENTER CONSENT ORDER BETWEEN THE UNITED STATES AND NANCY CANALE, AS TRUSTEE OF THE BERNARD CANALE AND NANCY CANALE 1998 REVOCABLE TRUST, AND BERNARD CANALE, BY AND THROUGH HIS SUCCESSOR IN INTEREST NANCY CANALE

ORDER

The stipulation is **APPROVED**.

The Consent Order (attached hereto as Exhibit A) is entered as a final resolution of the United States' claims against the Canale Defendants in this case.

The clerk shall enter the signed **Consent Order** as a **separate docket entry**.

This Court will retain jurisdiction to enforce the terms of the Consent Order and will be the sole venue for any dispute arising thereunder.

The parties are **DIRECTED** to file dispositional documents on or before **Monday, October 14, 2024**. If the parties are unable to file a dismissal by that date, the parties shall file a stipulation to extend the deadline, three (3) calendar days prior to the deadline.

Dated: September 26, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE